

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

DOUGLAS DYNAMICS, LLC,)	
d/b/a Western Products,)	
Plaintiff)	
)	
v.)	CIVIL ACTION NO. 04-11467-MAP
)	
B&P SUPPLY, INC.,)	
Defendant)	

MEMORANDUM RE; INTEREST AND
ATTORNEY'S FEES, AND
ORDER FOR ENTRY OF AMENDED JUDGMENT

February 6, 2006

PONSOR, U.S.D.J.

On October 18, 2005, the court allowed Plaintiff's Motion for Summary Judgment and ordered entry of judgment in favor of Plaintiff in the amount of \$118,727.12. The court's memorandum recognized the possibility of supplementation of the judgment with additional finance charges and attorney's fees.

On October 19, 2005 Defendant moved to vacate the court's ruling regarding summary judgment. On November 3, 2005 the court denied this motion. On November 4, 2005 Plaintiff filed its memorandum, setting forth the amount of additional interest claimed, as well as attorney's fees to which Plaintiff alleged it was entitled under the terms of its contract with Defendant. Defendant thereafter opposed the request for attorney's fees, pointing out that Plaintiff

had failed to submit an affidavit supporting the claimed hourly rate for Plaintiff's lead attorney.

Based on Plaintiff's submissions, the court hereby orders that the interest awarded to Plaintiff be augmented by \$5,520.81. This interest will cover the period of time from July 15, 2005 through the date of the court's original ruling on the Motion for Summary Judgment, October 18, 2005. This award of interest is adequate, and the court will decline to award any further interest covering the period of time from October 18, 2005 until the date of this order.

In addition, the court will award Plaintiff attorney's fees in the amount of \$15,000.00. This represents a reduction in the claimed amount of \$18,200.00, in recognition of the absence of any affidavit supporting lead counsel's claim for an hourly rate of \$275.00. The court finds that the amount of \$15,000.00 constitutes a reasonable award of attorney's fees in the circumstances of this case.

Based on the foregoing, the court hereby orders the clerk to enter an Amended Judgment for Plaintiff in the total amount of \$139,247.93.

It is So Ordered.

/s/ Michael A. Ponsor
MICHAEL A. PONSOR
U. S. District Judge